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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,507	03/30/2004	John S. Lollar	13097/3	5299

757 7590 07/31/2007
BRINKS HOFFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER

GIBBS, TERRA C

ART UNIT	PAPER NUMBER
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1635

MAIL DATE	DELIVERY MODE
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07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10813507	3/30/04	LOLLAR, JOHN S.	13097/3

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P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER

Terra C. Gibbs

ART UNIT	PAPER
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1635

7252007

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Notice to Comply with the Sequence Rules

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. §1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §1.821-1.825 for the reason(s) set forth on the attached Sequence Listing Error Report. Applicant must fully comply with the sequence rules for any response to this action to be considered fully responsive.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES of 37 C.F.R. §1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. §1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. §1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Terra C. Gibbs whose telephone number is 571-272-0758. The examiner can normally be reached on 9 am - 5 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, James Schultz can be reached on 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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tcg
July 25, 2007

/Terra C. Gibbs/

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Sequence Listing could not be accepted due to errors.

See attached Validation Report.

If you need help call the Patent Electronic Business Center at (866)
217-9197 (toll free).

Reviewer: Durreshwar Anjum

Timestamp: Mon Jun 11 13:25:27 EDT 2007

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Reviewer Comments:

seq Id 6:

Missing amino acid numbering, they non-aligned 645,650,655

Please delete text appearing after seq id 21.

Application No: 10813507

Version No: 2.0

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Output Set:

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Total Errors: 681
No. of SeqIDs Defined: 21
Actual SeqID Count: 21

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W 112	Upper case found in data; Found at position(3) SeqId(6)
W 112	Upper case found in data; Found at position(6) SeqId(6)
W 112	Upper case found in data; Found at position(9) SeqId(6)
W 112	Upper case found in data; Found at position(12) SeqId(6)
E 342	'n' position not defined found at POS: 15 SEQID(6)
W 112	Upper case found in data; Found at position(15) SeqId(6)
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W 112	Upper case found in data; Found at position(30) SeqId(6)
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E 323	Invalid/missing amino acid numbering SEQID (6) POS (689)
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Input Set:

Output Set:

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Actual SeqID Count: 21

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E 321	No. of Bases conflict, this line has no nucleotides SEQID (21)
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E 321	No. of Bases conflict, this line has no nucleotides SEQID (21)
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SEQUENCE LISTING

<110> Lollar, John S.

<120> Nucleic Acid and Amino Acid Sequences

encoding High-Level Expressor Factor VIII Polypeptides and
Methods of Use

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<140> 10813507

<141> 2004-03-30

<150> PCT/US02/33403

<151> 2002-10-07

<150> 60/327,388

<151> 2001-10-05

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5

10

15

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Gly Phe Ser Ala Ile Arg Arg Tyr Tyr Leu Gly Ala Val Glu Leu Ser

20

25

30

tgg gac tac cgg caa agt gaa ctc ctc cgt gag ctg cac gtg gac acc 144

Trp Asp Tyr Arg Gln Ser Glu Leu Leu Arg Glu Leu His Val Asp Thr

35

40

45

aga ttt cct gct aca gcg cca gga gct ctt ccg ttg ggc ccg tca gtc 192

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55

60

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70

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Gln Ala Glu Val Tyr Asp Thr Val Val Val Thr Leu Lys Asn Met Ala	
100 105 110	
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115 120 125	
tcc gaa ggc gct gaa tat gag gat cac acc agc caa agg gag aag gaa	432
Ser Glu Gly Ala Glu Tyr Glu Asp His Thr Ser Gln Arg Glu Lys Glu	
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305 310 315 320	
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385 390 395 400	
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Ser Gly Pro Gln Arg Ile Gly Arg Lys Tyr Lys Lys Ala Arg Phe Val	
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450 455 460	
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Gly Trp Lys His Leu Lys Asp Met Pro Ile Leu Pro Gly Glu Thr Phe	
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Asn Ser Ser His Phe Ile Gly Ala Gly Val Pro Leu Gly Ser Thr Glu			
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gca ccc ttg gaa gcc ccg gga aat cga aca ggt cca ggt ccg agg agt	3648
Ala Pro Leu Glu Ala Pro Gly Asn Arg Thr Gly Pro Gly Pro Arg Ser	
1205 1210 1215	

gcg gtt ccc cgc cgc gtt aag cag agc ttg aaa cag atc aga ctc ccg	3696
Ala Val Pro Arg Arg Val Lys Gln Ser Leu Lys Gln Ile Arg Leu Pro	
1220 1225 1230	
cta gaa gaa ata aag cct gaa agg ggg gtg gtt ctg aat gcc acc tca	3744
Leu Glu Glu Ile Lys Pro Glu Arg Gly Val Val Leu Asn Ala Thr Ser	
1235 1240 1245	
acc cgg tgg tct gaa agc agt cct atc tta caa gga gcc aaa aga aat	3792
Thr Arg Trp Ser Glu Ser Ser Pro Ile Leu Gln Gly Ala Lys Arg Asn	
1250 1255 1260	
aac ctt tct tta cct ttc ctg acc ttg gaa atg gcc gga ggt caa gga	3840
Asn Leu Ser Leu Pro Phe Leu Thr Leu Glu Met Ala Gly Gly Gln Gly	
1265 1270 1275 1280	
aag atc agc gcc ctg ggg aaa agt gcc gca ggc ccg ctg gcg tcc ggg	3888
Lys Ile Ser Ala Leu Gly Lys Ser Ala Ala Gly Pro Leu Ala Ser Gly	
1285 1290 1295	
aag ctg gag aag gct gtt ctc tct tca gca ggc ttg tct gaa gca tct	3936
Lys Leu Glu Lys Ala Val Leu Ser Ser Ala Gly Leu Ser Glu Ala Ser	
1300 1305 1310	
ggc aaa gct gag ttt ctt cct aaa gtt cga gtt cat cgg gaa gac ctg	3984
Gly Lys Ala Glu Phe Leu Pro Lys Val Arg Val His Arg Glu Asp Leu	
1315 1320 1325	
ttg cct caa aaa acc agc aat gtt tct tgc gca cac ggg gat ctc ggc	4032
Leu Pro Gln Lys Thr Ser Asn Val Ser Cys Ala His Gly Asp Leu Gly	
1330 1335 1340	
cag gag atc ttc ctg cag aaa aca cgg gga cct gtt aac ctg aac aaa	4080
Gln Glu Ile Phe Leu Gln Lys Thr Arg Gly Pro Val Asn Leu Asn Lys	
1345 1350 1355 1360	
gta aat aga cct gga agg act ccc tcc aag ctt ctg ggt ccc ccg atg	4128
Val Asn Arg Pro Gly Arg Thr Pro Ser Lys Leu Leu Gly Pro Pro Met	
1365 1370 1375	
ccc aaa gag tgg gaa tcc cta gag aag tca cca aaa agc aca gct ctc	4176
Pro Lys Glu Trp Glu Ser Leu Glu Lys Ser Pro Lys Ser Thr Ala Leu	
1380 1385 1390	
agg acg aaa gac atc atc agt tta ccc ctg gac cgt cac gaa agc aat	4224

Notice to Comply

Application No.

10813507

Examiner

Terra C. Gibbs

Applicant(s)

LOLLAR, JOHN S.

Art Unit

1635

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Please see attached Sequence Listing Error Form at "Reviewer Comments".

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the specification.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510

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